

FILED
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U.S. DISTRICT COURT E.D.N.Y.

★ JAN 26 2009 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

RENAISSANCE CARPET & TAPESTRIES,
INC.,

Plaintiff,

-against -

CLASSIC FURNITURE and GERMANS
BOLOTNIKOVS individually,

Defendants.

09 Civ
CV 09
COMPLAINT

296

Jury Trial Demanded

DEARIE, CH. J.

LEVY, M.J.

Renaissance Carpet & Tapestries, Inc. ("Renaissance") for its complaint against the named defendants alleges as follows:

JURISDICTION

1. This is a civil action for copyright infringement arising under the copyright laws of the United States, 17 U.S.C. § 101 *et seq.* (the "Copyright Act"). Jurisdiction is based on 28 U.S.C. §§ 1331 and 1338(a) and under related state and common law.

2. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338, and supplemental jurisdiction over the related state and common law claims pursuant to 28 U.S.C. § 1367.

3. This Court has personal jurisdiction over the defendants because they maintain an office for business in Kings County, State of New York and within this judicial district.

4. Venue is appropriate in this Court under 28 U.S.C. § 1400(a).

PARTIES

5. Plaintiff Renaissance Carpet & Tapestries, Inc. is a domestic corporation with its principal place of business at The Design Center, 200 Lexington Avenue, 10th Floor, New York, NY 10016. It is engaged in the business of designing, manufacturing, importing, and selling fine carpets, many of which embody original and proprietary designs.

6. Upon information and belief, Defendant Classic Furniture, is a domestic corporation with its principal place of business at 2324 McDonald Avenue, Brooklyn, NY 11223.

7. Upon information and belief, Defendant Classic Furniture, is an unincorporated association with its principal place of business at 2324 McDonald Avenue, Brooklyn, NY 11223.

8. Upon information and belief, Defendant Classic Furniture, is a partnership with its principal place of business at 2324 McDonald Avenue, Brooklyn, NY 11223.

9. Upon information and belief, Defendant Classic Furniture, is a sole proprietorship with its principal place of business at 2324 McDonald Avenue, Brooklyn, NY 11223.

10. Upon information and belief, Defendant Germans Bolotnikovs ("Bolotnikovs") is an individual residing at 1599 West 10th Street, #5F, Brooklyn, New York 11204.

11. Upon information and belief, Bolotnikovs is an officer of Classic Furniture and directed or controlled the wrongful acts of Classic Furniture herein.

12. Upon information and belief, Bolotnikovs is a shareholder of Classic Furniture and directed or controlled the wrongful acts of Classic Furniture herein.

13. Upon information and belief, Bolotnikovs is the sole proprietor of Classic Furniture and directed or controlled and is personally liable for the wrongful acts of Classic Furniture herein.

14. Upon information and belief and at all times hereinafter mentioned, defendants are engaged is in the business of importing, and/or selling carpets and household furnishings.

PLAINTIFF'S COPYRIGHTS

15. Renaissance is the owner and/or exclusive licensee of certain copyrighted designs of Savonnerie Carpets, specifically design numbers S-151, S-3, S-179 and S-196. (collectively, the "Renaissance Designs"). Copies of each design are annexed hereto as Exhibit A. Each of the Renaissance Designs is an original creation and constitutes copyrightable subject matter under the Copyright Act.

16. Renaissance has duly complied with all requirements of the Copyright Act with respect to the Renaissance Designs, has registered its copyrights in the Renaissance Designs in the United States Copyright Office and has obtained the following certificates of registration for the Renaissance Designs.

<u>Name of Design</u>	<u>Certificate Number</u>	<u>Date Registered</u>
S-151	VA-786-631	11/13/96

S-3	VA-763-598	12/12/95
S-179	VA-815-572	11/5/96
S-196	VA-1-313-161	3/8/06

17. Copies of the above-referenced certificates of registration are annexed hereto as Exhibit B.

CLAIMS FOR RELIEF

COUNT I – COPYRIGHT INFRINGEMENT

18. Plaintiff repeats and realleges the allegations above as if fully set forth herein.

19. Classic Furniture and Bolotnikovs, without authorization from Renaissance, have imported or caused to be imported and have advertised and sold products incorporating designs that are copied from and substantially similar to the Renaissance Designs.

20. Upon information and belief, plaintiff's Renaissance Designs were known to defendants. Defendants and plaintiff both operate in the same trade, which is a relatively narrow universe of commercial interests and competing parties.

21. Through its activities of importing, causing to be imported, marketing, advertising, offering for sale and sale of illegitimate knockoffs of plaintiff's Renaissance Designs, defendants Classic Furniture and Bolotnikovs have thereby infringed and, upon information and belief, are continuing to infringe upon Renaissance's copyrights in the Renaissance Designs.

22. Upon information and belief, the defendants' infringement of the Renaissance Designs was willful.

23. Upon information and belief, by the acts complained of, the defendants have made substantial profits and gains to which they are not in law or in equity entitled.

24. Upon information and belief, the defendants intend to and will continue to expand the infringing acts complained of herein, unless restrained by this Court

25. The infringement of plaintiff's Renaissance Designs by defendants has caused and/or will cause irreparable harm to plaintiff's business, reputation and goodwill unless restrained by this Court. Plaintiff has no adequate remedy at law for defendants' infringement.

26. Defendants' infringement has caused damage to plaintiff in an amount that cannot be determined without discovery. In addition, defendants have unjustly profited by their infringement of the copyrighted works to the detriment of plaintiff.

27. By reason of defendants' unlawful conduct as alleged above, plaintiff has been injured and is entitled to damages and defendants' profits attributable to defendants' unlawful conduct, which are presently indeterminate or, in the alternative, plaintiff's is entitled to elect statutory damages against defendants, pursuant to 17 U.S.C. § 1203(c), together with the costs of this action, and attorney's fees pursuant to 17 U.S.C. § 505.

COUNT II – UNFAIR COMPETITION AND FALSE DESIGNATION OF ORIGIN

28. Plaintiff repeats and realleges the allegations above as if fully set forth herein.

29. Upon information and belief, defendants have misappropriated catalogs, pricing lists and advertising materials which are proprietary to Renaissance for the purpose of offering products incorporating designs that are copied from and substantially similar to the Renaissance Designs.

30. According to plaintiff's information and belief, defendants have compounded their unlawful activities by placing a false copyright notice in its own name on their knockoffs of RENAISSANCE's original design. Such false copyright notice will deceive and/or confuse – or will likely deceive and/or confuse – the purchasing public into believing that the knockoff design is original to defendant.

31. By placing its false copyright notice on the knockoff rugs, defendant is effectively branding the knockoffs with its name or mark, thus creating a false designation or misrepresentation that will likely deceive and/or confuse the purchasing public that the works originate with defendants.

32. Defendants' conduct constitutes unfair competition and false designation of origin in violation of § 43(a) of the Trademark Act, 15 U.S.C. § 1125(a), separate and apart from plaintiff's claim of copyright infringement.

33. Defendants' conduct has caused and/or will continue to cause irreparable harm to plaintiff's business, reputation and goodwill unless restrained by this Court. Plaintiff has no adequate remedy at law for defendants' infringement.

34. Defendants' conduct has caused damage to plaintiff in an amount that cannot be determined without discovery. In addition, defendants have unjustly profited by their unlawful conduct to the detriment of plaintiff.

35. By reason of defendants' unlawful conduct as alleged above, plaintiff has been injured and is entitled to damages and defendants' profits attributable to defendants' unlawful conduct, which are presently indeterminate.

COUNT III – FALSE COPYRIGHT MANAGEMENT INFORMATION

36. Plaintiff repeats and realleges the allegations above as if fully set forth herein.

37. According to plaintiff's information and belief, defendants have placed a false copyright notice in its own name on its knockoffs of RENAISSANCE's original design. Such false copyright notice will deceive and/or confuse – or will likely deceive and/or confuse – the purchasing public into believing that the knockoff design is original to defendant.

38. By placing its false copyright notice on the knockoff rugs, defendant is effectively branding the knockoffs with its name or mark, thus creating a false designation or misrepresentation that will likely deceive and/or confuse the purchasing public that the works originate with defendants.

39. As set forth in the foregoing allegations an upon information and belief, defendants knowingly and with the intent to induce, enable, facilitate and/or conceal their infringement of plaintiff's Renaissance Designs provided false copyright management information and promoted, marketed, offered for

sale, sold and/or distributed the infringing knockoffs with false copyright management information in violation of 17 U.S.C. § 1202.

40. Defendants' conduct has caused actual damage to plaintiff in an amount which is presently indeterminate. Upon information and belief, defendants have profited by their conduct to the detriment of plaintiff.

41. Upon information and belief, the defendants' infringement of the Renaissance Designs and designation of false copyright management information was willful.

42. Plaintiff has no adequate remedy at law for defendants' unlawful conduct and unless defendants are permanently enjoined, plaintiff will continue to suffer irreparable harm.

43. By reason of defendants' unlawful conduct as alleged above, plaintiff has been injured and is entitled to damages and defendants' profits attributable to defendants' unlawful conduct, which are presently indeterminate or, in the alternative, plaintiff is entitled to elect statutory damages against defendants, pursuant to 17 U.S.C. § 1203(c), together with the costs of this action, and attorney's fees pursuant to 17 U.S.C. § 505.

WHEREFORE, Renaissance demands as follows:

(a) Declare that defendants have infringed plaintiff's copyrights in the Renaissance Designs;

(b) Pursuant to 17 U.S.C. § 502, permanently enjoin defendants, together with their officers, agents, servants, employees and attorneys and all persons in active concert or participation with them from infringing the

Renaissance Designs or other copyrighted works owned or exclusively licensed by plaintiff in any manner, and from copying, making, marketing, selling, distributing and otherwise generating income from any works that have been derived in whole or in part from plaintiff's Renaissance Designs;

(c) Pursuant to 17 U.S.C. § 503:

(i) Order defendants forthwith to deliver up to plaintiff for destruction all remaining inventory of the infringing works;

(ii) Order defendants to block out all references to the infringing designs from defendants' catalogs, brochures, websites and any other marketing or promotional material; to stop distributing catalogs, brochures or other marketing and promotional material that depict or otherwise reference the infringing designs; to delete any reference to the infringing designs from price lists, websites and all other marketing and sales material; and to advise customers that the infringing designs are no longer available;

(iii) Identify to Plaintiff all persons and entities that have purchased, licensed or otherwise received or to whom Defendants distributed any infringing designs;

(iv) Notify in writing all persons and/or entities that have purchased, licensed or otherwise received or to whom Defendants distributed any infringing designs, that said designs are unlawful and infringe plaintiff's copyrights, that any subsequent sale and/or distribution of the said infringing designs constitutes copyright infringement;

(d) Pursuant to 17 U.S.C. § 504, order an accounting of all gains, profits and advantages derived by defendants from their copyright infringement and false copyright management information, and that defendants be required to pay to plaintiff the actual damages that plaintiff has sustained and defendant's profits attributable to their copyright infringement, including enhanced damages for defendants' willful infringement, in an amount to be determined at trial;

(e) In the alternative and pursuant to 17 U.S.C. § 504(c), order that plaintiff shall be awarded statutory damages against and from defendants in an amount to be determined at trial;

(f) Order defendants to disclose to plaintiff the source and/or collaboration of any developers, manufacturers, the supplier(s), distributors, vendors, agents, and dealers involved with the development, production, marketing, promotion, offer for sale and sale of the infringing designs;

(g) Pursuant to 17 U.S.C. § 505, order defendants to pay plaintiff's costs and reasonable attorneys fees;

(h) Pursuant to 15 U.S.C. § 1116, permanently enjoin defendants:

(i) From passing off, inducing, or enabling others to sell or pass off any product or design copied from plaintiff's Renaissance Designs as genuine products;

(ii) From committing any acts calculated to cause purchasers to believe that defendants' products are genuine Renaissance Design;

(iii) from committing any acts calculated to cause purchasers to believe that defendants' infringing designs, copied from plaintiff's original Renaissance Designs, are original works of defendants;

(i) Pursuant to 15 U.S.C. § 1117, order an accounting of all gains, profits and advantages derived by defendants from their unfair competition and false designation of origin, and that defendants be required to pay to plaintiff the actual damages that plaintiff has sustained and defendant's profits attributable to their unfair competition and false designation of origin, and that such amounts be trebled as provided by law, together with Plaintiff's costs and reasonable attorney's fees;

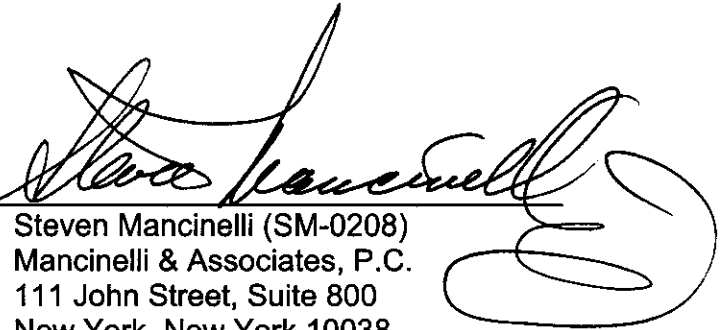
(j) Order defendants to pay over to plaintiff all profits and sums by which defendants have been unjustly enriched by reason of their unlawful acts as alleged herein.

(j) That defendants, within thirty (30) days after service of the Order of permanent injunction and thereafter upon the entry of Final Judgment be required to file with the Court and serve upon plaintiff a written report under oath setting forth in detail the manner in which defendants have complied with the directives of the permanent injunction.

(k) Grant plaintiff such other and further relief that the Court may deem just and proper.

Dated: January 23, 2009
New York, New York

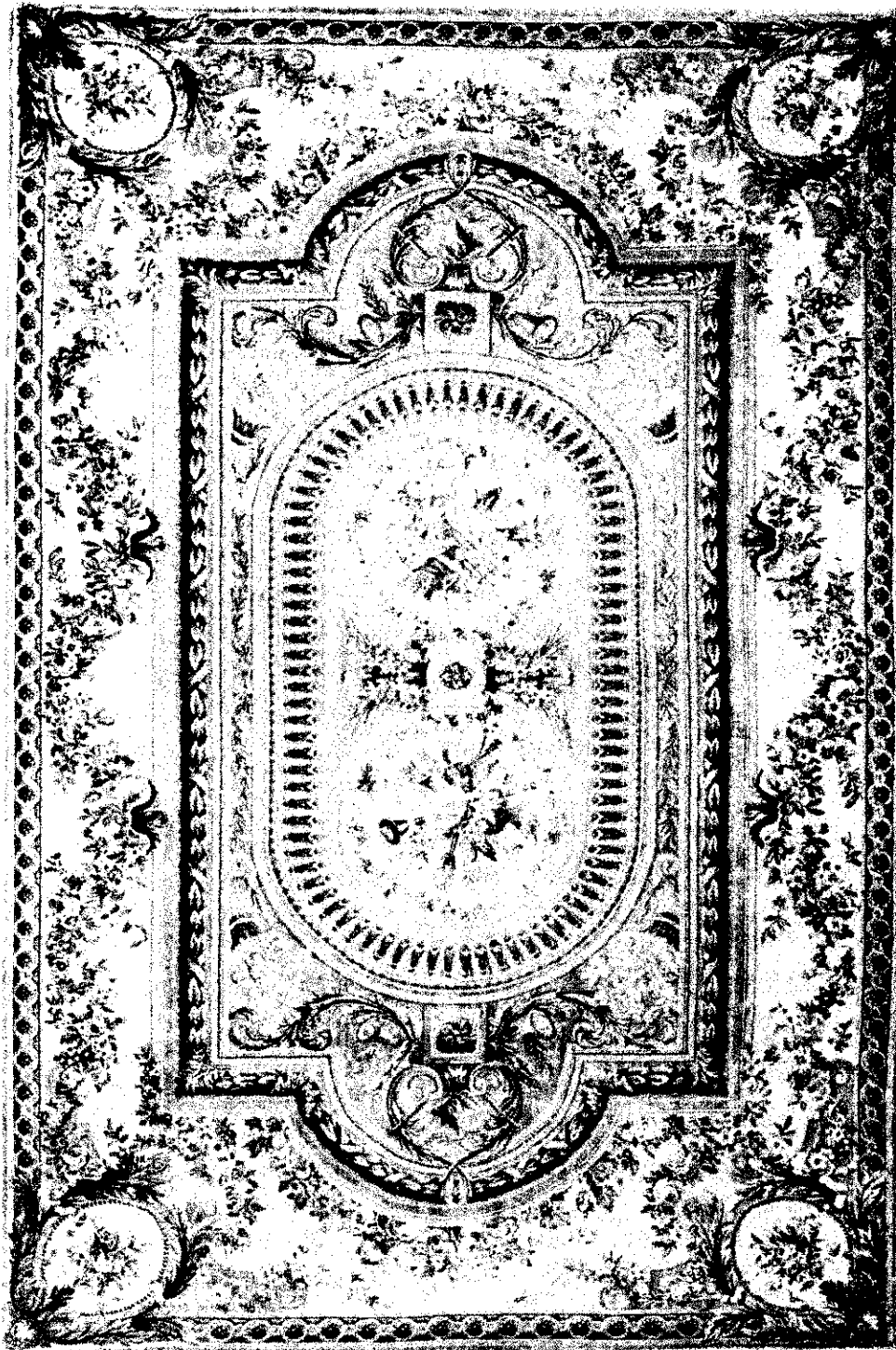
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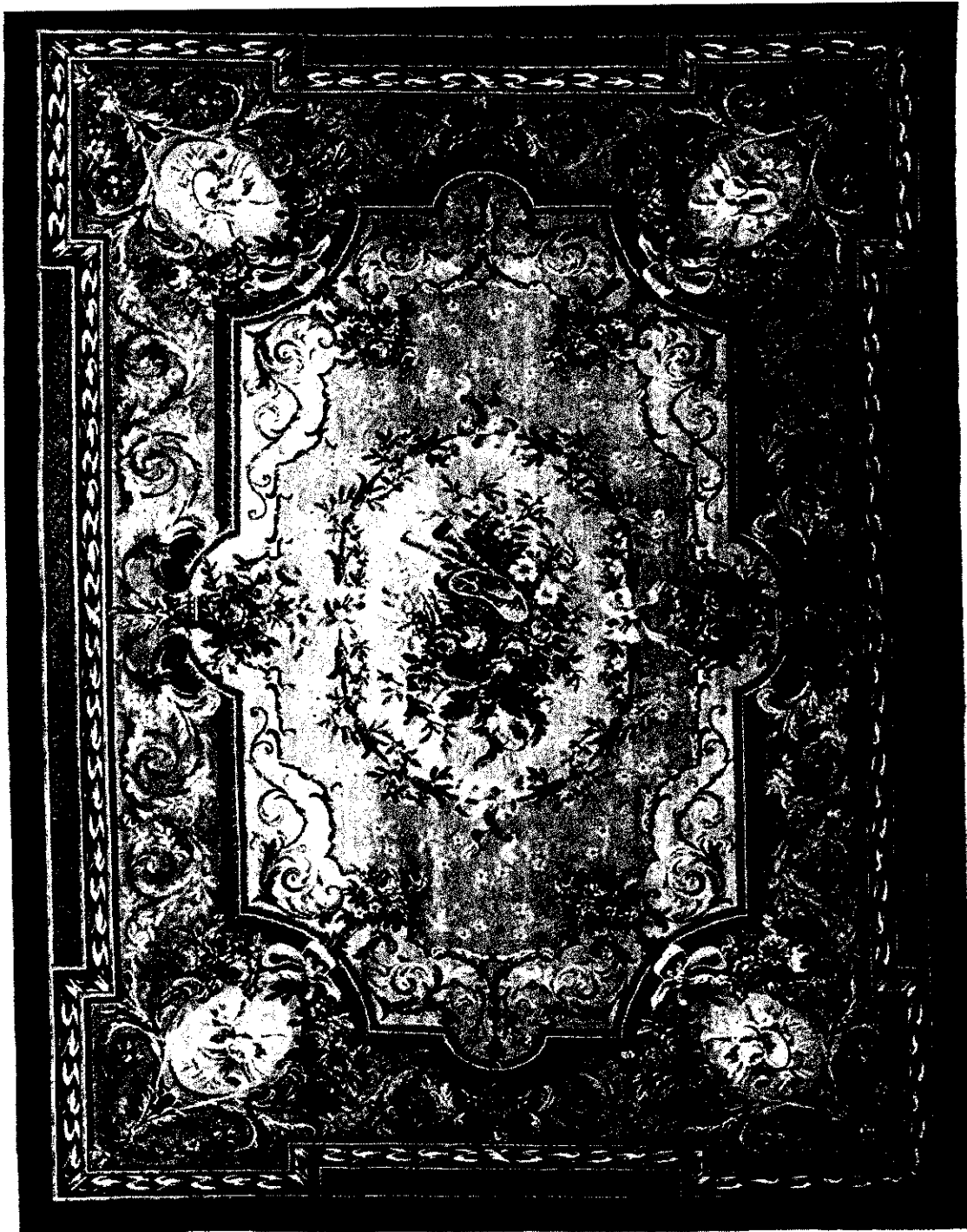
Steven Mancinelli (SM-0208)
Mancinelli & Associates, P.C.
111 John Street, Suite 800
New York, New York 10038
Phone: 212-366-1324
Fax: 240-358-7375

Steven Simenowitz (SS-8681)
Attorney for Plaintiff Renaissance
22 Jericho Turnpike Suite 104
Mineola, NY 11501
Phone: 613-232-3117
Fax: 413-451-0841

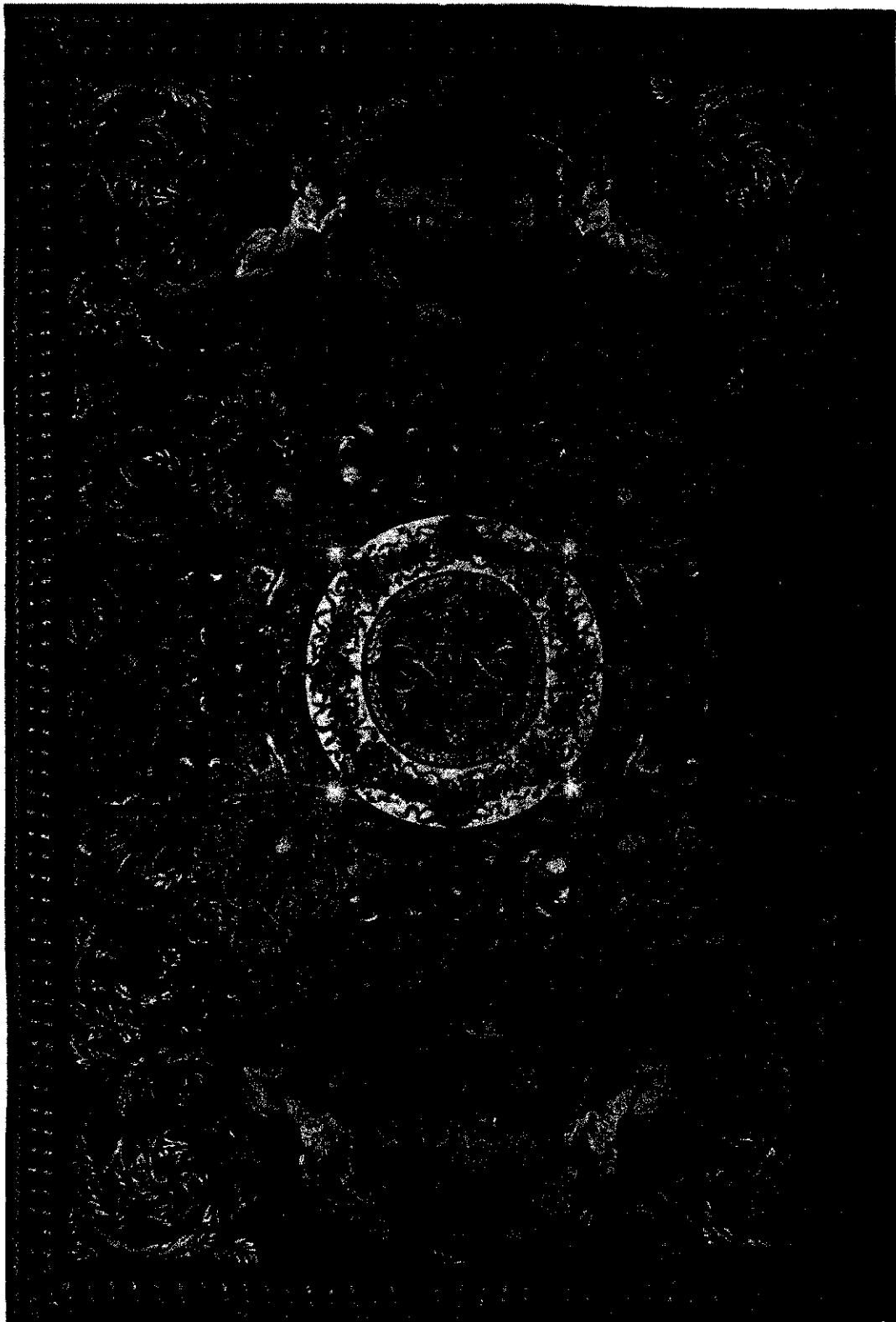
Exhibit A



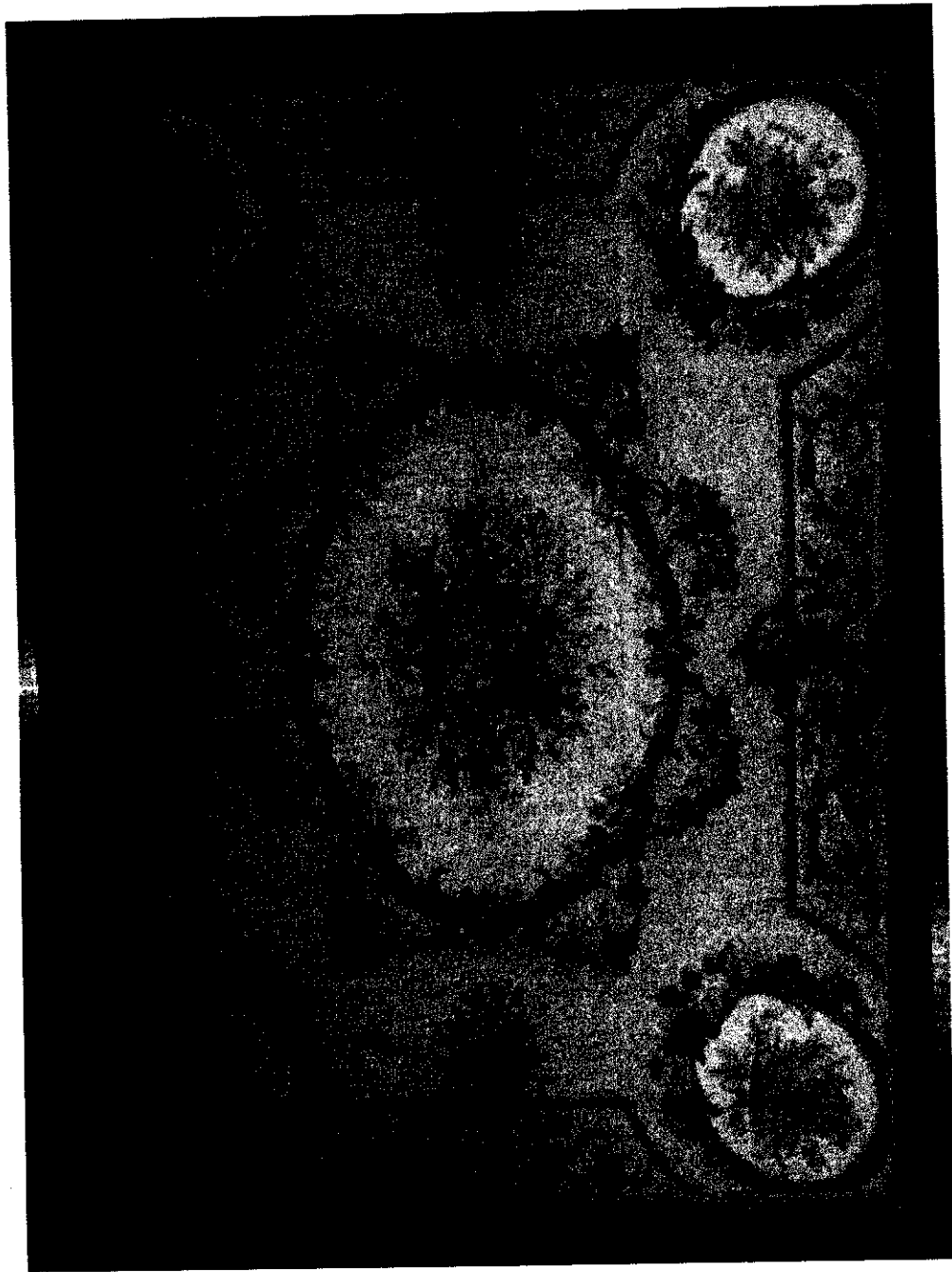
Renaissance S-151



Renaissance S-3



Renaissance S-179



Renaissance S-196

Exhibit B

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

FORM VA
UNITED STATES COPYRIGHT OFFICE

VA 786-631

EFFECTIVE DATE OF REGISTRATION

11 / 13 / 96
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

TITLE OF THIS WORK

SOVONNERIE S-151

NATURE OF THIS WORK

RUGS

PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work

If published in a periodical or serial give: Volume

Number

Issue Date

On Page

NAME OF AUTHOR

DATES OF BIRTH AND DEATH
Year Born Year Died

2 a RENAISSANCE CARPET & TAPESTRY (RCT)

Was this contribution to the work a "work made for hire"?

☒ Yes
☐ No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country

OR ☐ Citizen of
☐ Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? ☐ Yes ☒ No
Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions

NATURE OF AUTHORSHIP

Rugs in assorted sizes

Briefly describe nature of the material created by this author in which copyright is claimed.

NAME OF AUTHOR

DATES OF BIRTH AND DEATH
Year Born Year Died

N/A

Was this contribution to the work a "work made for hire"?

☐ Yes
☒ No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country

OR ☐ Citizen of
☐ Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? ☐ Yes ☒ No
Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions

NATURE OF AUTHORSHIP

Briefly describe nature of the material created by this author in which copyright is claimed.

NAME OF AUTHOR

DATES OF BIRTH AND DEATH
Year Born Year Died

N/A

Was this contribution to the work a "work made for hire"?

☐ Yes
☒ No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country

OR ☐ Citizen of
☐ Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? ☐ Yes ☒ No
Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions

NATURE OF AUTHORSHIP

Briefly describe nature of the material created by this author in which copyright is claimed.

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

1995

4 Year

This information must be given in all cases.

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

September

Day

23

Year

1995

Nation

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.

RENAISSANCE CARPET & TAPESTRY
Suite 431 200 Lexington Avenue
New York, NY 10016

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

APPLICATION RECEIVED

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

REMITTANCE NUMBER AND DATE

DO NOT WRITE HERE

MORE ON BACK

• Complete all applicable spaces (numbers 1-9) on the reverse side of this page
• See detailed instructions
• Sign the form at line 9

Page 1 of 2 pages

CHECKED BY

☐ CORRESPONDENCE☐ DEPOSIT ACCOUNT FUNDS USEDFOR
COPYRIGHT
OFFICE
USE
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

- ☐ Yes ☐ No. If your answer is "Yes," why is another registration being sought? (Check appropriate box) ☐
- ☐ This is the first published edition of a work previously registered in unpublished form.
- ☐ This is the first application submitted by this author as copyright claimant.
- ☐ This is a changed version of the work, as shown by space 6 on this application.
- If your answer is "No," give Previous Registration Number ☐ Year of Registration ☐

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6a for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates.

Medieval Carpet Design

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed.

Adaptation of design and additional artistic work

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ☐ Account Number ☐

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Attn/City/State/Zip

STEVEN H. SIMENOWITZ, ESQ. attorney for claimant Renaissance Carpet & Tapestry
633 Wheeler Road
Hauppauge, NY 11788

Area Code & Telephone Number (516) 232-3117

CERTIFICATION I, the undersigned, hereby certify that I am the

Check only one ☐☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of Renaissance Carpet & TapestryName of author or other copyright claimant, or owner of exclusive right(s) ☐

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ☐ If this is a published work, this date must be the same as or later than date of publication given in space 3.

STEVEN H. SIMENOWITZ

4/20/96

Handwritten signature (X) ☐MAIL
CERTIFICATE TO

Certificate will be mailed in window envelope

Name ☐

Law Office of Steven H. Simenowitz

Number/Street/Address/Post Office ☐

633 Wheeler Road

City/State/Zip ☐

Hauppauge, NY 11788

Have you?

- Completed all necessary spaces?
- Signed your application in space 8?
- Enclosed check or money order for \$10 payable to Register of Copyrights?
- Enclosed your deposit material with the application and fee?

MAIL TO: Register of Copyrights, Library of Congress, Washington, D.C. 20540

*17 U.S.C. § 506(a) Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

Certificate of Registration

FORM VA
UNITED STATES COPYRIGHT OFFICE

This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Margbeth Peters
Register of Copyrights, United States of America

VA 763-598



EFFECTIVE DATE OF REGISTRATION

12 12 95
Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

TITLE OF THIS WORK

NATURE OF THIS WORK See instructions

1 SAVONNIERE 8-3

KIDS

PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work

If published in a periodical or serial give: Volume Number Issue Date On Pages

2 NAME OF AUTHOR

DATES OF BIRTH AND DEATH
Year Born Year Died

a RENAISSANCE CARPET & TAPESTRY (ECT)

Was this contribution to the work a "work made for hire"?

AUTHOR'S NATIONALITY OR DOMICILE

☒ Yes
☐ No

 OR
 Citizen of
 Domiciled in

USA

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

 Anonymous? ☐ Yes ☒ No
 Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.
Rugs in assorted sizes

NAME OF AUTHOR

DATES OF BIRTH AND DEATH
Year Born Year Died

b N/A

 Was this contribution to the work a "work made for hire"?
☐ Yes
☒ No

AUTHOR'S NATIONALITY OR DOMICILE

 OR
 Citizen of
 Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

 Anonymous? ☐ Yes ☒ No
 Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

NAME OF AUTHOR

DATES OF BIRTH AND DEATH
Year Born Year Died

c N/A

 Was this contribution to the work a "work made for hire"?
☐ Yes
☒ No

AUTHOR'S NATIONALITY OR DOMICILE

 OR
 Citizen of
 Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

 Anonymous? ☐ Yes ☒ No
 Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED. This information must be given in all cases. 1995 4 Year

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK. Complete this information ONLY if this work has been published. Month > September Day > 18 Year > 1995

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.

RENAISSANCE CARPET & TAPESTRY
Suite 431 200 Lexington Avenue
New York, NY 10016

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

APPLICATION RECEIVED
DEC 12 1995

ONE DEPOSIT RECEIVED

DEC 12 1995

TWO DEPOSITS RECEIVED

REMITTANCE NUMBER AND DATE

MORE ON BACK • Complete all applicable spaces (numbers 5-8) on the reverse side of this page.
• See detailed instructions • Sign the form at the B.

DO NOT WRITE HERE
Page 1 of 2 pages

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer (see instructions). For any part of this work that was "made for hire" check "Yes" in

07626129
07626129

4

See instructions before completing this space

EXAMINED BY <i>SM</i>	FORM VA
CHECKED BY <i>John</i>	
<input type="checkbox"/> CORRESPONDENCE	FOR
<input type="checkbox"/> DEPOSIT ACCOUNT FUNDS USED	COPYRIGHT OFFICE USE ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▾☐ This is the first published edition of a work previously registered in unpublished form.☐ This is the first application submitted by this author as copyright claimant.☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▾

Year of Registration ▾

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.**a. Preexisting Material** Identify any preexisting work or works that this work is based on or incorporates. ▾Medieval Carpet Design

See instructions before completing this space.

6

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▾Adaptation of design and additional artistic work**DEPOSIT ACCOUNT** If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▾ Account Number ▾

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▾STEVEN H. SIMENOWITZ, ESQ attorney for Claimant Renaissance Carpet & Tapestry
Suite 500 One Suffolk Square
Islandia, NY 11722

Be sure to give your daytime phone number.

Area Code & Telephone Number ▾ (516) 232-3117

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▾

☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of Renaissance Carpet & Tapestry

Name of author or other copyright claimant, or owner of exclusive right(s) ▾

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▾ If this is a published work, this date must be the same as or later than the date of publication given in space 3.

STEVEN H. SIMENOWITZdate ▾ 11/29/95

Handwritten signature (X) ▾

MAIL CERTIFICATE TO

Certificate will be mailed in window envelope

Name ▾

Law Offices of Steven H. Simenowitz

Number/Street/Apartment Number ▾

Suite 500, One Suffolk Square

City/State/ZIP ▾

Islandia, NY 11722

New York

• Completed all necessary updates?
• Signed your application in space 8?

• Enclosed check or money order for \$10 payable to Register of Copyright?

• Enclosed your deposit material with the application and fee?

MAIL TO: Register of Copyrights, Library of Congress, Washington, D.C. 20540.

9

* 17 U.S.C. § 506(c): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 405, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

CERTIFICATE OF REGISTRATION



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

FORM VA
(UNITED STATES COPYRIGHT OFFICE)

VA 815-572



EFFECTIVE DATE OF REGISTRATION

Marybeth Peters Nov 5 1996
Month Day Year

REGISTER OF COPYRIGHTS
United States of America

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK **SAVONNERIE S-179** NATURE OF THIS WORK **RUGS**

PREVIOUS OR ALTERNATIVE TITLES

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work

If published in a periodical or serial give: Volume Number Issue Date On Pages

2 NAME OF AUTHOR **RENAISSANCE CARPET & TAPESTRY (RCT)** DATES OF BIRTH AND DEATH
Year Born Year Died

Was this contribution to the work a "work made for hire"? ☐ Yes ☐ No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country Citizen of Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? ☐ Yes ☒ No Pseudonymous? ☐ Yes ☒ No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed. **Rugs in assorted sizes**

NOTE
Under the law, the "author" of a

NAME OF AUTHOR **N/A** DATES OF BIRTH AND DEATH
Year Born Year Died

Was this contribution to the work a "work made for hire"? ☐ Yes ☒ No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country Citizen of Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? ☐ Yes ☒ No Pseudonymous? ☐ Yes ☒ No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

NAME OF AUTHOR **N/A** DATES OF BIRTH AND DEATH
Year Born Year Died

Was this contribution to the work a "work made for hire"? ☐ Yes ☒ No

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Name of Country Citizen of Domiciled in

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? ☐ Yes ☒ No Pseudonymous? ☐ Yes ☒ No

NATURE OF AUTHORSHIP Briefly describe nature of the material created by this author in which copyright is claimed.

3 YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED **1995** DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
Complete this information Month **September** Day **23** Year **1995**
ONLY if this work has been published. **United States of America**

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.

RENAISSANCE CARPET & TAPESTRY
Suite 431 200 Lexington Avenue
New York, NY 10016

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

APPLICATION RECEIVED
ONE DEPOSIT RECEIVED
TWO DEPOSITS RECEIVED
REMITTANCE NUMBER AND DATE

DO NOT WRITE HERE

MORE ON BACK

• Complete all applicable spaces (numbers 1-9) on the reverse side of this page.
• See detailed instructions. • Sign the form at line 9.

DO NOT WRITE HERE

Page 1 of 2

084847590



084847590

EXAMINED BY

FORM VA

CHECKED BY

☐ CORRESPONDENCEFOR
COPYRIGHT
OFFICE
USE
ONLY☐ DEPOSIT ACCOUNT
FUNDS USED

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▾☐ This is the first published edition of a work previously registered in unpublished form.☐ This is the first application submitted by this author as copyright claimant.☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▾

Year of Registration ▾

DERIVATIVE WORK OR COMPILATION Complete both space 4a & 4b for a derivative work; complete only 4b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▾

Medieval Carpet Design

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▾

Adaptation of design and additional artistic work**DEPOSIT ACCOUNT** If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▾

Account Number ▾

Steven H. Simenowitz Esq. M36367**CORRESPONDENCE** Give name and address to which correspondence about this application should be sent. Name/Address/Apt/Cor/State ▾STEVEN H. SIMENOWITZ, ESQ. attorney for claimant Renaissance Carpet & Tapestry633 Wheeler RoadHempstead, NY 11788Area Code & Telephone Number ▾ (516) 232-3117**CERTIFICATION** I, the undersigned, hereby certify that I am the

Check only one ▾

☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of Renaissance Carpet & Tapestry

Name of author or other copyright claimant, or owner of exclusive right(s) ▴

The work identified in this application and that the statements made
true in this application are correct to the best of my knowledge.

Typed or printed name and date ▾ If this is a published work, this date must be the same as or later than the date of publication given in space 3.

STEVEN H. SIMENOWITZdate ▾ 4/20/96

Handwritten signature (X) ▾

MAIL
CERTIFICATE TOCertificate
to be
affixed in
indow
envelope

Name ▾

Law Office of Steven H. Simenowitz

Number/Street/Apartment Number ▾

633 Wheeler Road

City/State/ZIP ▾

Hempstead, NY 11788

Have you:

- Completed all necessary notices?
 - Signed your application in space 8?
 - Enclosed check or money order for \$10 payable to Register of Copyrights?
 - Enclosed your deposit material with the application and fee?
- MAIL TO: Register of Copyrights,
Library of Congress, Washington,
D.C. 20540

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Margbeth Peters

Register of Copyrights, United States of America



Form VA

Form VA of the Visual Arts

REG:

VA 1-313-161

EFFECTIVE DATE OF REGISTRATION

3-8-06

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE USE A SEPARATE CONTINUATION SHEET

1

Title of This Work

SAVONNERIE DESIGN S 196

NATURE OF THIS WORK See instructions

Carpet/Tapestry Design

Previous or Alternative Titles

Publication as a Contribution: If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work

If published in a periodical or serial give Volume

Number

Issue Date

On Page

2

NAME OF AUTHOR

a Renaissance Carpet & Tapestries, Inc

DATES OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a

"work made for hire?"

☒ Yes

☐ No

Author's Nationality or Domestic

Name of Country

OR

Claim of

USA

Domestic in

Was This Author a Contributor to the Work

Anonymous?

☐ Yes

☒ No

Pseudonym?

☐ Yes

☒ No

If the answer to either of these questions is "Yes," see detailed instructions

Nature of Authorship Check appropriate box(es) See instructions

☐ 3 Dimensional sculpture

☐ Map

☐ Technical drawing

☒ 2 Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☐ Jewelry design

☐ Architectural work

Name of Author

Dates of Birth and Death

Year Born

Year Died

Was this contribution to the work a

"work made for hire?"

☐ Yes

☐ No

Author's Nationality or Domestic

Name of Country

OR

Claim of

Domestic in

Was This Author a Contributor to the Work

Anonymous?

☐ Yes

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☐ 3 Dimensional sculpture

☐ Map

☐ Technical drawing

☐ 2 Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☐ Jewelry design

☐ Architectural work

3

Year in Which Creation of This Work Was

Completed

2000

This information

must be given

Year in all cases.

Date and Month of First Publication of This Particular Work

Complete this information

ONLY if this work

has been published.

Month

May

Day

14

Year

2001

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2

Renaissance Carpet & Tapestries, Inc

200 Lexington Avenue Suite 1006

New York NY 10016

Transfer if the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2 give a brief statement of how the claimant(s) obtained ownership of the copyright

APPLICATION RECEIVED

MAR 08 2006

ONE DEPOSIT RECEIVED

MAR 08 2006

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

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Complete all applicable spaces (numbers 1-6) on the reverse side of the page. See detailed instructions. Sign the form at the bottom.

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Page 1 of 2

EXAMINED BY

FORM YA

CHECKED BY

☐ CORRESPONDENCE
Yes
FOR
COPYRIGHT
OFFICE
USE
ONLY

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

PREVIOUS REGISTRATION this registration for this work, or for an earlier version of this work, already been made in the Copyright Office of

☐ Yes ☐ No If you answer as Yes, why is another registration being sought? (Check appropriate box.)

☐ This is the first published edition of a work previously registered in unpublished form

☐ This is the first application submitted by the author as copyright claimant

☐ This is a changed version of the work, as shown by space 6 on this application

If your answer is Yes, give Previous Registration Number

Year of Registration

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for (derivative work) complete only 6b for a compilation

a. Providing Material Identify any preexisting work or works that this work is based on or incorporates

6

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work, and in which copyright is claimed

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account

Name Steven H. Szmankowitz Esq

Account Number DA 80209

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent Name/Address/Apt/City/State/ZIP

Steven H. Szmankowitz Esq
299 Maple Street
East Longmeadow MA 01028

Area code and daytime telephone number (413) 525 1846

Fax number (413) 525 1847

E-mail szmankowitz@earthlink.net

CERTIFICATION I, the undersigned, hereby certify that I am the

check only one

☐ author

☐ other copyright claimant

☐ owner of exclusive rights

☒ authorized agent of Renaissance Carpet & Tapestries, Inc.

Name of author or other copyright claimant, or owner of exclusive rights

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge

Typed or printed name and date If this application gives a date of publication in space 3, do not sign and submit it before that date

Steven H. Szmankowitz

Date February 3, 2006

Handwritten signature

X

Certificate will be mailed in window envelope to this address

Name Steven H. Szmankowitz Esq

Address 299 Maple Street

City/State/ZIP East Longmeadow MA 01028

Complete all necessary spaces on your application in space 8

☐ I am the author or other copyright claimant and I am submitting this application to the Copyright Office for registration.

☐ I am the owner of exclusive rights and I am submitting this application to the Copyright Office for registration.

☐ I am the authorized agent of the author or other copyright claimant and I am submitting this application to the Copyright Office for registration.

☐ I am the owner of exclusive rights and I am submitting this application to the Copyright Office for registration.

☐ I am the authorized agent of the author or other copyright claimant and I am submitting this application to the Copyright Office for registration.

☐ I am the owner of exclusive rights and I am submitting this application to the Copyright Office for registration.

☐ I am the authorized agent of the author or other copyright claimant and I am submitting this application to the Copyright Office for registration.

☐ I am the owner of exclusive rights and I am submitting this application to the Copyright Office for registration.

☐ I am the authorized agent of the author or other copyright claimant and I am submitting this application to the Copyright Office for registration.

☐ I am the owner of exclusive rights and I am submitting this application to the Copyright Office for registration.

☐ I am the authorized agent of the author or other copyright claimant and I am submitting this application to the Copyright Office for registration.

☐ I am the owner of exclusive rights and I am submitting this application to the Copyright Office for registration.

☐ I am the authorized agent of the author or other copyright claimant and I am submitting this application to the Copyright Office for registration.

9

17 USC § 405(a) Any person who knowingly makes a false statement of a material fact in the application for copyright registration or in any written statement filed in connection with the application shall be fined not more than \$50,000.

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U.S. Government Printing Office: 2002-488-000/500-000

Index No:
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RENAISSANCE CARPET & TAPESTRIES, INC.,

Plaintiffs,

-against-

CLASSIC FURNITURE AND GERMANS
BOLOTNIKOVS individually,

Defendants.

SUMMONS AND COMPLAINT

**STEVEN MANCINELLI
MANCINELLI & ASSOCIATES, P.C.
111 JOHN STREET, SUITE 800
NEW YORK, N.Y. 10038
212-962-6525**

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated:.....

Signature.....

Print Signer's Name.....

Service of a copy of the within

Dated:

Is hereby admitted

Attorney(s) for